

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

MAY 16 2019

JULIA C. DUDLEY CLERK
BY: *[Signature]*
DEPUTY CLERK

BENNIE SMITH,)
individually and on behalf of all others)
similarly situated,)
Plaintiff,) Case No. 4:19cv00009
v.)
TAXING AUTHORITY CONSULTING)
SERVICES, P.C.,) By: Hon. Jackson L. Kiser
Defendant.) Senior United States District Judge

On April 1, 2019, Defendant Taxing Authority Consulting Services, P.C., filed a motion to dismiss for lack of jurisdiction, motion to dismiss for failure to state a claim, and a motion to strike class allegations [ECF No. 6], along with a brief and evidence in support [ECF No. 7]. That same day, I entered an Order which read, in part:

Briefs in opposition must be filed within 14 days of the date of service of the movant's brief (or within 14 days of this Order if a motion and brief have been served prior to this Order). EXCEPT FOR GOOD CAUSE SHOWN, IF BRIEFS IN OPPOSITION TO THE MOTIONS ARE NOT FILED, IT WILL BE DEEMED THAT THE MOTION IS WELL TAKEN.

(Order, Apr. 1, 2019 [ECF No. 10].) To date, Plaintiffs have not responded in any way to Defendant's motion. Accordingly, that motion is deemed well taken. Defendant's motion is hereby GRANTED, and this matter is DISMISSED WITH PREJUDICE.

The clerk is directed to forward a copy of this Order to all counsel of record.

ENTERED this 10th day of May, 2019.

Jackson L. Kiser
SENIOR UNITED STATES DISTRICT JUDGE